

- any elementary or secondary school facility unless the consent of school authorities has been given, any child-caring facility or center, or any certified family child-care home except any owner of a certified family child-care home may carry a concealed firearm into the owner's residence used as a certified family child-care home;
- any portion of an airport to which access is controlled by the inspection of persons;
- any place where the carrying of firearms is prohibited by federal law.

SB 7 provides that the owner, business or commercial lessee, or manager of a private business enterprise, a child-care center, a certified family child-care home, or a health facility may prohibit persons from carrying concealed deadly weapons on the premises and may prohibit employees from carrying concealed deadly weapons on the property of the employer.

Exception: facilities renting or leasing housing.

SB 7 requires signs to be posted prohibiting the carrying of concealed weapons in public buildings or premises.

SB 7 provides that weapons, ammunition, or both may be kept in a vehicle on the premises as long as they are not removed from the vehicle.

SB 7 provides that a private employer may prohibit employees or other persons from carrying concealed deadly weapons or ammunition in vehicles owned by the employer, but may not prohibit the employee from carrying weapons or ammunition in vehicles owned by the employee.

Exception: the Justice and Public Safety Cabinet may prohibit employees from carrying weapons or ammunition NOT issued or authorized by the Cabinet in a vehicle while transporting persons under the employee's supervision or jurisdiction.

SB 7 provides that the carrying of a concealed weapon or ammunition is prohibited at the following locations **shall not be a criminal act:** a private business enterprise, a child-care center, a certified family child-care home or a health facility. However, the person may be denied access to or removed from the premises.

Part III: Fiscal Explanation, Bill Provisions, and Estimated Cost

The fiscal impact of SB 7 on local governments is expected to be minimal.

As with any expansion to criminal law, local law enforcement would have a learning curve, and would have to disseminate the information regarding the new law to its officers. Minor cost can be expected regarding these specific laws.

SB 7 expands KRS 527.020 with the inclusion of additional criminal acts detailed above. These additional criminal acts would share penalties already in the statute. Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has been previously

convicted of a felony in which case a deadly weapon was possessed, used, or displayed, in which case it is a Class D felony.

A person convicted of a Class A misdemeanor may be incarcerated for up to twelve months. Misdemeanants are housed in one of Kentucky's 76 full service jails or five life safety jails. While the expense of housing inmates varies by jail, this estimated impact will be based on \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. While the majority of misdemeanor defendants are granted bail, those who do not will also cost local jails an average of \$31.34 per day.

When a court denies bail to a Class D felony defendant, the local government is responsible for incarcerating the defendant until disposition of the case in one of Kentucky's 76 full service jails or five life safety jails. While the expense of housing inmates varies by jail, each additional inmate increases facility costs by an estimated average of \$31.34 per day, which equals the per diem and medical expenses that the Department of Corrections pays jails to house felony offenders. Upon sentencing, a Class D felon is housed in one of Kentucky's full service jails for the duration of his or her sentence. The Department of Corrections pays a jail \$31.34 per day to house a D felon. Since the per diem pays for the estimated average cost of housing a Class D felon, the per diem may be less than, equal to, or greater than the actual housing cost.

Data Source(s): LRC Staff, Department of Corrections

Preparer: Wendell F. Butler **Reviewer:** JWN **Date:** 1/4/17